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REPLY TO MONTCLAIR OFFICE

August 26, 2020

Via ECF

Hon. Loretta A. Preska, U.S.D.J.
United States District Court
500 Pearl St.
New York, NY 10007

Re: *United States v. Antoine Stewart*, Dkt. No. 02-cr-1435 (LAP)

Dear Judge Preska:

Yesterday, the Court assigned me to succeed Glenn Garber as counsel for Antoine Stewart who has filed an application for First Step Act relief. Mr. Garber withdrew from the case because he had represented Albert Burgos, a codefendant in Mr. Stewart's case.

This RICO indictment was a potential capital case and a number of defendants, including Mr. Burgos, had been appointed learned counsel. After researching the case and contacting Mr. Garber, I learned that my partner, David Ruhnke, was learned counsel for Mr. Burgos in the early stages of the case. Because this gives rise to an appearance of a conflict of interest, I am compelled to move to withdraw.

I have conducted some research in this matter which I can provide to successor counsel.

Respectfully submitted,

/s/ Jean D. Barrett

Jean D. Barrett

SO ORDERED

Loretta A. Preska

UNITED STATES DISTRICT JUDGE

8/27/20